

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT TACOMA

MARK LEE MILLER

Petitioner,

V.

JEFFREY A. UTTECHT,

Respondent.

CASE NO. 3:15-CV-05928-RBL-DWC

ORDER ADOPTING REPORT AND RECOMMENDATION

The Court, having reviewed the Report and Recommendation of Magistrate Judge David W. Christel, objections to the Report and Recommendation, if any, and the remaining record, does hereby find and ORDER:

- (1) The Court adopts the Report and Recommendation.
- (2) Respondent's Motion to Dismiss [Dkt. #15] is GRANTED.
- (3) Petitioner's federal habeas Petition is dismissed with prejudice as moot.
- (4) The Clerk is directed to send copies of this Order to Plaintiff, counsel for Defendants, and to the Hon. David W. Christel.

DATED this 23rd day of May, 2016

Ronald B. Lightner

Ronald B. Leighton
United States District Judge